

**MINUTES OF REGULAR MEETING
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
FEBRUARY 11, 2021**

**STATE OF TEXAS §
 §
COUNTY OF HARRIS §**

The Board of Directors of Harris County Municipal Utility District No. 23 of Harris County, Texas, met in regular session, open to the public, beginning at 6:30 P.M. at the regular meeting place inside the District on the 11th day of February, 2021, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Jeffrey Blackwell	President
Jim Haney	Vice President
Christy Shepard	Secretary
Will Ross	Treasurer
Oscar Dominguez	Assistant Secretary/Treasurer

and all of said directors were present, thus constituting a quorum.

Persons also present in the meeting or via Zoom included:

Essa Ibrahim, Officer Romaine of the Sheriff’s Department;
Wally Byers of Courtyard Glen;
Jeanelle Walker of Courtyard Glen;
Anne Wilheit of WCA, soon to be Green for Life;
Jennifer Landreville of ETI Bookkeeping and Pat Hall of Equi-Tax, Inc (remotely).;
Daniel Hayden, Engineer for District 220;
Pete Peterson of District 220;
Cori Cornwell of Flock Camera;
John Sherrington, P.E. of Sherrington-Humble, LLC (remotely);
Doug Jeffrey of TNG Utility Corp (remotely); and
Michael A. Cole of Michael A. Cole, P.C.

DISTRICT RESIDENT COMMENTS

Ms. Walker stated that there is a need for two trash cans to replace those presently serving her subdivision and that she would bring estimates for same to the next meeting. She also added that she and the residents of Courtyard Glenn are grateful for the \$4,000 each year from the District for the maintenance of the park and path. It was reported that there was nothing new to report on the construction start date of the new volunteer Fire Station.

While not a resident Ms. Wilheit explained that WCA would be changing its name to “Green For Life” and that its trucks would be appearing in the District in the future with new colors and

names reflecting same but with the same service and terms as before.

CAMERA PRESENTATION

A presentation by Mr. Cornwell was then given. Director Haney explained that the camera pictures taken by these pole mounted devices will feature the license plates of cars coming into and out of the subdivision, as well as the make, color and model year of the car. The images are stored, can let the viewer know how many times it has been in the neighborhood, and with its infrared sensors even take photos at night. It was explained that the cameras are leased by the District at a price of \$2,500 a year with a one time charge for installation of \$250. The camera is mounted on a 12' high pole and images are maintained for 30 days before deletion. It was stated that each camera only films in one direction so that if going out and coming in is required to be pictured it would take two cameras at each entrance to the District. It was also stated that while the first replacement of a camera is paid for by the company, subsequent replacements are borne by the District at \$500 each. A long discussion followed which included reference to there having been a murder in the District the night before the meeting and that apprehension might have been possible had there been the cameras in place. At the conclusion of the discussion **Director Haney moved that there be a Falcon camera installed at each of the 3 principal subdivision entrances for a total of \$8,250 a year, which motion was seconded by Director Shepard and carried unanimously.** The Agreement when received will be added to the District's records.

SECURITY REPORT

The report was delivered by Officer Romine. He said that there had been a shooting the night before and a number of car burglaries experienced in the last month. He suggested that there would be a systematic investigation of these burglaries which should be enhanced with the camera arrangement. Director Haney expressed his appreciation for the officer who wants to use his comp time to be in the District during nights, but expressed his concern that there needs to be a presence in the District during the days to make a greater difference in the car burglaries.

MINUTES

Director Shepard moved the approval of the January meeting , which motion was seconded by Director Blackwell and carried unanimously.

CONSENT AGENDA

BOOKKEEPER, INVESTMENT OFFICER AND TAX-ASSESSOR COLLECTOR REPORT

Ms. Landreville reported that there was \$5,000,000 plus in the General Fund and that District 220 had lost the last invoice for operating expenses on the sewage treatment and water supply services but that it was going to be paid, but that 220 had concluded that it had "paid enough" in terms of its pro-rata share of the STP construction costs, an assertion sharply disagreed with by the 23 Board. Ms. Landreville explained that Kandy Pfeffer is no longer serving as the bookkeeper

because she needed to spend time with her ailing father. Ms. Hall reported on tax matters and said that 90% of the 2020 levy had been collected, and that the new value for 2021 was close to \$211,000,000 plus. **The Board then adopted the Homestead Tax Exemption Resolution which was the same as the prior year on the motion of Directors Blackwell and Shepard, respectively, and the unanimous vote of the Board.**

ENGINEER REPORT

Mr. Sherrington presented his report. He said that the sewage treatment plant was substantially complete and that the contractor had been given a punch list of items to be done before receiving his final payment, but that not a lot of progress had been made on the punch list and the as-builts remain incomplete. The vent hood was then quoted to be \$7,950. Directors Blackwell and Dominguez voiced the opinion that this work was too expensive. The operator made clear he was not volunteering to take it off which could require a crane and that he wanted to talk more about it. The Engineer said that he would lay down some concrete where the sludge trucks pull in to prevent the ground from rutting where the “turn arounds” are taking place. He said that the contractor had not submitted an estimate for payment this month, but that the contractor may clear out in the next month and at most in the next two months. He said that the fine screen inspection would occur when it had been installed and was operating but that electrical had not yet been hooked up. He said that Plant No. 2's inspection had been completed at a cost of \$1,250 and that he was working on the CPI for the next 10 years which he hoped to present at the March Meeting. He noted that the investigations on Water Plant No. 2 would be presented at the March meeting.

With regard to water service for the area south of District 23 he said that he was contacting Veronica with the City of Houston as to what would be possible in this area for providing water service. Further he said that it was not yet clear from where the area west of Fairbanks-North Houston was getting its water service including the possibility that it was being served by a portion of District 220 but that he would continue to investigate. Director Ross made clear that the truck stop had tapped in to a 10 inch water line on the west side of the road.

The buy out numbers were updated to show that there had been a total of 340 buyouts, 58 of which had been north of the Bayou and 281 south of it. It was again mentioned that a concrete apron would be installed at the back of the wastewater treatment plant and that the operator would handle the upcoming cold snap to make sure the plant was in good shape for it.

UTILITY OPERATOR

The utility operator report was submitted. The report reflected that the water accountability ratio had been 98.65%; that there had been no excursions at the wastewater treatment plant; and that there remained a few service terminations. Some discussion was had on the expenses to clear brush on the north side of fencing and back along Haney Road. He said that this could be done by the operator at a cost of about \$200 an hour for which he estimated a total price of about \$3,200. A motion to this effect was made and seconded by Director Blackwell and Director Haney, respectively, and carried unanimously. The motion included the addition of chemical treatment to retard vegetation growth. It was mentioned that the Magna Flow trucks were hitting some of the trees

when entering or exiting the plant site and that Mustafa was okay with the cut work and the use of chemicals. The operator said that he would visit in more detail with Director Blackwell concerning what all needed to be done. The Board was encouraged to hear that David Wright would be coming home and was doing well

ATTORNEY REPORT

The Attorney provided his written report to the Board. With regard to the Hidalgo letter, the attorney explained that unless further action was warranted in the view of the Board he would eliminate this item from his report. Regarding the District 220 dispute, he explained that he had visited with the District's Engineer about how to create some space for a settlement by changing the criteria for how design capacity is calculated. Specifically he suggested that since the standards had changed for what might be considered a single family home from 300pgd to 250gpd it might be possible to conclude that what is needed to be paid for capacity would be similarly reduced such that what would be owing might be close to what had been paid. The Engineer conceded that might be helpful, but that it would not extend to how much was to be paid for monthly sewage treatment and thus would only be a one time concession and would still require or open the floor to how much District 220 should contribute for this concession. Director Dominguez vehemently objected that this analysis could not extend to what was to be paid for monthly sewage services because what each District pays per unit for treatment needs to be calculated on exactly the same basis even if the District made a concession on what was due from District 220 for the capital costs, with which he was not in agreement with at all. After considerable reflection the attorney conceded this point with regard to monthly operating costs and as a consequence made clear that he could not participate in the negotiations to settle the dispute with District 220. Directors and the Engineer agreed to this and the Directors then said that it will need to discuss the strategy for moving forward. The District 220 representatives excused themselves from the meeting to consider how it desired to proceed.

On other matters the Attorney said he believed the District would be in a good compliance posture given the plant nearing completion and the District having until November to spend any surplus construction funds remaining after the project is complete.

BUILDING COORDINATOR REPORT

The written report was provided to Directors. Director Haney remarked that more calls were being received from individuals wanting to use the building for rental purposes. He also noted that some quotes were needed for removing dead pine trees near the building and the operator said he would obtain some quotes. Director Blackwell noted that there were some bald eagles nesting near the STP which would probably leave in May but made for interesting viewing and observation.

CONSENT AGENDA

Approval of the consent agenda was had along with service terminations, customers having previously been given notice of an opportunity to appear before the Board to show cause why their water service should not be terminated due to non payment, **on the motions of Directors Shepard and Blackwell and the unanimous vote of the Board.**

There being no other business to come before the Board the meeting was adjourned.

(SEAL)

Secretary, Board of Directors

**COMMITMENTS FOR ACTION
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 23
MEETING OF FEBRUARY 11, 2021**

BOOKKEEPER

Nada

ATTORNEY

Prepare minutes.

ENGINEER

Follow-up on completion of punch list to contractor and execution of change order; pursue parts and installation of same for fine screen; follow-up on proposal for exterior work on water plant(s); update Daniel on STP changes; [address outfall pipe repairs]; and investigate what entity is serving warehouses and other facilities on or near Bondale

BUILDING COORDINATOR

Nada

OPERATOR

Hook-up Solanos; trim trees on fence line; and take down Water Plant No. 1. Turn off water at 8319 Battle Oak; get estimate for fencing on Haney Road and for repair of certain fences; check on Country View hydrant replacement including bad valve; install dishes on manholes; and attempt to get name of driver who damaged hydrant and confer with officers re same for police report; and check on payment of \$100 by CCR. Assess and collect tap fee from Volunteer Fire Department. Perform the brush work authorized.

TAX ASSESSOR COLLECTOR

Provide a statement of value of the Joga property and improvements.